

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA *ex rel.*  
JAMES HAGAN,

Plaintiff/Relator,

v.

NORTHLAND ASSOCIATES, INC., THE  
DIVERSE CONSTRUCTION GROUP,  
LLC and JAMES TYLER,

Defendants.

Case No. 5:17-cv-036 (GTS/TWD)

UNITED STATES OF AMERICA *ex rel.*  
JAMES HOHM,

Plaintiff/Relator,

v.

NORTHLAND ASSOCIATES, INC.,  
NORTHLAND/JDS CONSTRUCTION,  
JAMES M. TYLER, and THE DIVERSE  
CONSTRUCTION GROUP, LLC,

Defendants.

Case No. 5:18-cv-516 (GTS/TWD)

**FILED UNDER SEAL**

**UNITED STATES' NOTICE OF ELECTION TO INTERVENE**

Pursuant to the False Claims Act, 31 U.S.C. §§ 3730(b)(2) and (4), the United States notifies the Court that it hereby intervenes in the above-captioned actions, which generally allege that Defendants presented, caused to be presented, and conspired to present, false claims and statements to the United States in connection with contracts that the government set aside for performance by service-disabled veteran-owned small businesses and small businesses operating in historically underutilized business zones.

Together with this notice, the United States is filing a settlement agreement that is fully dispositive of the two cases. The agreement requires Defendants to make payments to the United States over the next five years, after which the parties will file a joint stipulation of dismissal. Given the lengthy payment period, and the parties' desire for the Court to retain authority to enforce the settlement agreement, the government respectfully suggests that the Court administratively close the case.

The United States requests that the Court unseal all filings in the two cases **except** for the United States' *ex parte* applications for extensions of the seal period. These applications should remain under seal because, in discussing the content and extent of the United States' investigation, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended.

A proposed order accompanies this notice.

Respectfully submitted,

GRANT C. JAQUITH  
United States Attorney

By: /s/ Adam J. Katz  
ADAM J. KATZ  
Bar Roll No. 517894  
CHRISTOPHER R. MORAN  
Bar Roll No. 700767  
Assistant United States Attorneys